

FORM PTO-1390 (Modified)  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

EVRO/0006

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

UNASSIGNED  
**10/501629**INTERNATIONAL APPLICATION NO.  
**PCT/IB2003/000907**INTERNATIONAL FILING DATE  
**17 JAN 2003**PRIORITY DATE CLAIMED  
**22 JAN 2002**

TITLE OF INVENTION

**FLUORESCENT PROTEIN FROM AEQUOREA COERULSCENS AND USES THEREOF**

APPLICANT(S) FOR DO/EO/US

**EVROGEN, IP**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 331234746 US**
23. ☐ Other items or information:

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) <b>10/501629</b> UNASSIGNED		INTERNATIONAL APPLICATION NO. <b>PCT/IB2003/000907</b>		ATTORNEY'S DOCKET NUMBER <b>EVRO/0006</b>	
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24. The following fees are submitted.: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1080.00</b> <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				<b>CALCULATIONS PTO USE ONLY</b>	
				<b>\$920.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>\$0.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	32 - 20 =	12	x \$18.00	<b>\$216.00</b>	
Independent claims	3 - 3 =	0	x \$86.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,136.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$0.00</b>	
<b>SUBTOTAL =</b>				<b>\$1,136.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,136.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,136.00</b>	
				Amount to be: refunded	\$
				charged	\$

  

a. ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 20-0782 in the amount of \$1,136.00 to cover the above fees.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0782

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**B. TODD PATTERSON**  
 Moser, Patterson & Sheridan, LLP  
 3040 Post Oak Blvd.  
 Suite 1500  
 Houston, TX 77056

*B. Todd Patterson*

SIGNATURE

**B. Todd Patterson**

NAME

**37,906**

REGISTRATION NUMBER

7/15/04

DATE

10/501629

PATENT  
Atty. Dkt. EVRO/0006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE UNDER 37 CFR 1.10

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited on July 15, 2004 with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," mailing label No. EV 331 234 746 US, addressed to: Box Patent Application, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

7-15-04  
Date

*[Signature]*  
Signature

Re: Inventor(s): Nadejda GURSKAYA, Arkadiy FRADKOV, Sergey LUKYANOV,  
Natalia PUNKOVA

Title: Fluorescent Protein from Aequorea Coerulscens and Uses Therefor

Transmitted herewith is the patent application identified above, including:

- ☒ International Publication WO 2003/062270 A2 and A3
- ☒ Executed Declaration and Power of Attorney
- ☒ Information Disclosure Statement with PTO-1449 (foreign references)

## FEE CALCULATION

	NUMBER OF CLAIMS FILED	LESS NUMBER PAID BY BASIC FEE	NUMBER OF EXTRA CLAIMS (Not less than zero)	LARGE ENTITY FEE
Basic Fee				\$920.00
Total Claims	32	= 12	12 X \$18 =	216.00
Independent Claims	3	= 0	X \$86 =	0.00
First Presentation of Multiple Dependent Claims + \$0.00				0.00
Total Filing Fee Calculation				\$1,136.00

- ☒ The Commissioner is hereby authorized to charge \$1,136.00 to Deposit Account No. 20-0782/EVRO/0006/BTP. **A duplicate copy of this transmittal is enclosed.**
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0782/EVRO/0006/BTP. **A duplicate copy of this transmittal is enclosed.**
- ☒ Please address all future correspondence to:  
B. TODD PATTERSON  
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3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056

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